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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	SPIEL-COMBOCON 2
First Inventor	NORTON SPIEL
Title	COMBINATION PLASTIC SPIRAL FORMING MACHINE ETC.
Express Mail Label No.	EV481574042US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 42]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 19]
5. Oath or Declaration [Total Sheets 61]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)	
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)	
a. <input type="checkbox"/> Computer Readable Form (CRF)	
b. Specification Sequence Listing on:	
i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or	
ii. <input type="checkbox"/> Paper	
c. <input type="checkbox"/> Statements verifying identity of above copies	
ACCOMPANYING APPLICATION PARTS	
9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of (when there is an assignee) <input type="checkbox"/> Attorney	
11. <input type="checkbox"/> English Translation Document (if applicable)	
12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations	
13. <input type="checkbox"/> Preliminary Amendment	
14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)	
15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.	
17. <input type="checkbox"/> Other:	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: 10/215,656.

Prior application information: Examiner M. Henderson Art Unit: 3722

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS
 Customer Number: 04988 OR Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	ALFRED M. WALKER	Registration No. (Attorney/Agent)	29,983
Signature	Alfred M. Walker		
	Date	APRIL 3, 2004	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Alfred M. Walker



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042104

Attorney at Law

Admitted to United States Patent Office and New York State Bar

April 21, 2004

Commissioner of Patents
Mail Stop Patent Applications
PO Box 1450
Alexandria VA 22313

Re: New Utility Patent Application

APPLICANT: Norton Spiel

FOR: COMBINATION PLASTIC SPIRAL FORMING MACHINE AND
SEMI-AUTOMATIC PLASTIC SPIRAL BINDING MACHINE

Dear Sir:

Enclosed please find continuation utility patent application including:

Specification, Claims, Abstract, Drawings 19 sheets, copy of Declaration,
Application transmittal form and Certificate of Mailing.

I also enclose a PTO 1449 Information Disclosure Statement. The items listed in bold face type were discovered after the Mailing of the Notice of Allowance on February 12, 2004 regarding Applicant's prior parent patent application filed under serial number 10/215,656 on August 10, 2002.

The documents listed in bold typeface are newly discovered references not cited in prior parent patent application 10/215,656, filed August 10, 2002. Copies of documents listed in bold print are supplied herein. Applicant requests that the Examiner obtain a copy of the earlier filed references from application serial number 10/215,656.

These newly cited references listed in bold print were first disclosed in an Official Action dated February 12, 2004 (7 pages) in the Canadian Patent Office, in Applicant's related Canadian Patent application no. 2,321,937 of Spiel Associates, Inc. "Combination Plastic Spiral Forming Machine and Semi-Automatic Plastic Spiral Binding Machine" and in a Protest of Applicant's Canadian patent application no. 2,321,937, filed dated January 19, 2004 in Canadian Intellectual Property Office, Ottawa, Canada. The protest was not disclosed to Applicant until after the above-noted Notice of Allowance dated February 12, 2004.

Copies of the Canadian Official Action and Protest filed in the Canadian Patent Office are enclosed herein.

Additionally, this matter is the subject of related litigation in the Eastern District of New York concerning Applicant's parent patent no. 6,547,502. A copy of the Summons is enclosed herein.

Please acknowledge receipt by returning the enclosed postcard.

Very truly yours,

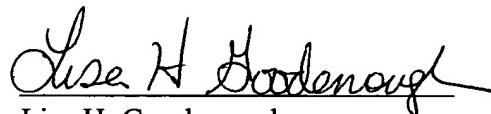


Alfred M. Walker

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail #EV481574042US addressed to U.S. Patent and Trademark Office, Mail Stop Patent Applications, PO Box 1450, Alexandria VA 22313 on the date indicated below.

Date: April 21, 2004



Lisa H. Goodenough

Lisa H. Goodenough

Pat trans utility appl

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 385)

Complete if Known

Application Number	
Filing Date	
First Named Inventor	NORTON SPIEL
Examiner Name	
Art Unit	
Attorney Docket No.	SPIEL-COMBO-CON 2

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:
 Deposit Account Number
 Deposit Account Name

23-0120

ALFRED M. WALKER

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Fee Code (\$)	Small Entity	Fee Code (\$)	Fee Description	Fee Paid
	1001 770		2001 385	Utility filing fee	385
	1002 340		2002 170	Design filing fee	
	1003 530		2003 265	Plant filing fee	
	1004 770		2004 385	Reissue filing fee	
	1005 160		2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$)			385

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims	Fee from below	Fee Paid
20 -20** = 0	x 0	= 0
3 - 3** = 0	x 0	= 0
	0	= 0

Large Entity	Small Entity	Fee Description
	1202 18	2202 9 Claims in excess of 20
	1201 86	2201 43 Independent claims in excess of 3
	1203 290	2203 145 Multiple dependent claim, if not paid
	1204 86	2204 43 ** Reissue independent claims over original patent
	1205 18	2205 9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0

0

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	ALFRED M. WALKER	Registration No. (Attorney/Agent)	29,983	Telephone	631-361-8737
Signature	<i>Alfred M. Walker</i>			Date	APRIL 27, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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